

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, MAY 24, 1999
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Wear at 2:11 p.m.

Deputy Mayor Wear wished to announce that the improvements scheduled for "Dog Beach" would be done in honor of San Diego's official town dog "Bum" who was born in San Francisco July of 1886, and passed away in San Diego in 1897. Bum was half Saint Bernard and bestowed on a steamer to San Diego, becoming the town dog of the 1890's. Bum led most of our parades and accompanied the fire engines to fires, rode the trolley, the bus, the fairy, and the train. When Bum died at the age of 11, he was given a large public funeral paid for by the pennies of the children of San Diego.

Deputy Mayor Wear adjourned the meeting at 3:43 p.m. into Closed Session on Tuesday, May 25, 1999, at 9:30 a.m. in the twelfth floor conference room to discuss anticipated and significant exposure to litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-excused by R-291787 (Other Official City Business)
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-excused by R-291749 (To attend APTAs Commuter Rail/Rapid Transit Conference in Toronto, Ontario)

(7) Council Member McCarty-present

(8) Council Member Vargas-present

Clerk-Abdelnour (pr)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-not present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-not present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Thomas T. Bunnett of the Grace
Evangelical Lutheran Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Mathis.

FILE LOCATION: MINUTES

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comment by Don Stillwell regarding "Who Writes the Laws?" and suggesting that Lawyers do. Mr. Stillwell referred to the article in "The Spotlight" that insists there are behind the scenes law-writing agencies that are doing the jobs of our State Legislatures.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A032-054.)

PUBLIC COMMENT-2:

Comment by Billy Paul expressing that the property owners along the Boardwalk in Mission Beach are not complying regarding the expansion of the Boardwalk, and that he feels the City should bring in bulldozers to get the job done and charge the property owners with a ten percent processing fee.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A055-064.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Comment by Council Member Kehoe regarding the "Rock in Roll" Marathon held over the weekend and that for the most part it went smoothly. However, some of the folks in Hillcrest were pretty upset for being cut off from their houses and

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for the Regular Meeting of Monday, May 24, 1999**

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parking spaces for several hours, and they were not too excited about a before 6:00 a.m. "wake-up call" by the bands tuning their instruments. Council Member Kehoe expressed she will be working with the City Manager regarding this issue.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A068-080.)

COUNCIL COMMENT-2:

Comment by Council Member Vargas expressing that the crowds (the people along the route) at the "Rock in Roll" Marathon were wonderful, cheering everyone on.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A081-091.)

ITEM-30: National Beach Safety Week.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1204) ADOPTED AS RESOLUTION R-291640

Urging all residents and visitors using our beaches to enjoy themselves at the beach this year, while taking the appropriate measures to protect themselves and their children; Proclaiming May 23 through 31, 1999 to be 'National Beach Safety Week' in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A095-174.)

MOTION BY WARDEN TO ADOPT. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-31: American Society of Landscape Architects Day.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1274) ADOPTED AS RESOLUTION R-291641

Recognizing the accomplishments of the ASLA and proclaiming May 23, 1999 as
"American Society of Landscape Architects Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A175-242.)

MOTION BY WARDEN TO ADOPT. Second by McCarty. Passed by the following
vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-32: Recognition and Presentation of Awards to Students - Water Conservation Project
Winners.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1303) ADOPTED AS RESOLUTION R-291642

Recognizing the elementary school and junior high school students who
participated in the educational competitions sponsored by the City Water
Department:

Overall Grand Prize:
Lynda Huynh

5th - 6th Grade Category:
1st Place - Ernesto Meneses
2nd Place - J.D. Waldron

3rd - 4th Grade Category:

1st Place - Giaan Profeta

2nd Place - Bianca Cisneros Morena

3rd Place - Alicia Hilbert

2nd Grade and Under Category:

1st Place - Jeremy Marquez

2nd Place - Jacob Marquez

Standley Junior High School Winners of the "Design a Water Conservation Plan
for your School" contest:

Max Falk

Danielle Yu

Nancy Lee

Britney Shanks

Thomas Hurd

Expressing appreciation to the students for their early interest in water conservation.

FILE LOCATION:

AGENDA

COUNCIL ACTION:

(Tape location: A244-364.)

MOTION BY WARDEN TO ADOPT. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

*ITEM-100: CCDC Area 1- Phase 1, K Street to Imperial Avenue (6th Avenue to 12th Avenue)
Underground Utility District.
(Centre City Community Area. Districts-2 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1290) ADOPTED AS RESOLUTION R-291643

Designating July 23, 1999 as the date upon which all property in the CCDC Area

1- Phase 1, K Street to Imperial Avenue (6th Avenue to 12th Avenue) Underground Utility District must be ready to receive underground service and September 17, 1999 as the date for the removal of all overhead utility facilities;

Authorizing the City Auditor and Comptroller to open Fund 78109 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the CCDC Area 1- Phase 1, K Street to Imperial Avenue (6th Avenue to 12th Avenue) Underground Utility District;

Authorizing the City Treasurer to receive these funds from the San Diego Gas & Electric Company;

Authorizing payment to all property owners in the CCDC Area 1- Phase 1, K Street to Imperial Avenue (6th Avenue to 12th Avenue) Underground Utility District as reimbursement for electrical service underground conversion work done on private property;

Authorizing the City Treasurer to return to SDG&E any undisbursed funds upon written notice from SDG&E to the City that all electrical service conversions within this particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION:

The CCDC Area 1- Phase 1, K Street to Imperial Avenue (6th Avenue to 12th Avenue) Underground Utility District was created by the City Council on January 19, 1999. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set July 23, 1999 as the Customer Ready Date, which will require that upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish September 17, 1999 as the Pole Removal Date, which will require that upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench for electrical and conduit up to a maximum of \$1,800 per electric service lateral. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching. Reimbursement does not include the cost of modifications to the electrical service box which typically ranges from \$300-\$1,500.

FILE LOCATION: STRT-K-245 [38]

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

*ITEM-101: Foothill Boulevard (Fanuel Street to Ingraham Street) Underground Utility District.
(Pacific Beach Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1291) ADOPTED AS RESOLUTION R-291644

Designating August 16, 1999 as the date upon which all property in the Foothill Boulevard (Fanuel Street to Ingraham Street) Underground Utility District must be ready to receive underground service and December 10, 1999 as the date for the removal of all overhead utility facilities;

Authorizing the City Auditor and Comptroller to open Fund 78102 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the Foothill Boulevard (Fanuel Street to Ingraham Street) Underground Utility District;

Authorizing the City Treasurer to receive these funds from the San Diego Gas & Electric Company;

Authorizing payment to all property owners in the Foothill Boulevard (Fanuel Street to Ingraham Street) Underground Utility District as reimbursement for electrical service underground conversion work done on private property;

Authorizing the City Treasurer to return to SDG&E any undisbursed funds upon written notice from SDG&E to the City that all electrical service conversions within this particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION:

The Foothill Boulevard (Fanuel Street to Ingraham Street) Underground Utility District was created by the City Council on September 15, 1998. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set August 16, 1999 as the Customer Ready Date, which will require that upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish December 10, 1999 as the Pole Removal Date, which will require that upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench for electrical and conduit up to a maximum of \$1,800 per electric service lateral. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching. Reimbursement does not include the cost of modifications to the electrical service box which typically ranges from \$300-\$1,500.

FILE LOCATION: STRT-K-251 [38]

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

*ITEM-102: College Grove Drive (55th Street to 2,600 feet west of College Grove Drive)
Underground Utility District.

(Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1302) ADOPTED AS RESOLUTION R-291645

Designating July 19, 1999 as the date upon which all property in the College Grove Drive (55th Street to 2,600 feet west of College Grove Drive) Underground Utility District must be ready to receive underground service and October 15,

1999 as the date for the removal of all overhead utility facilities;

Authorizing the City Auditor and Comptroller to open Fund 78110 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the College Grove Drive (55th Street to 2,600 feet west of College Grove Drive) Underground Utility District;

Authorizing the City Treasurer to receive these funds from the San Diego Gas & Electric Company;

Authorizing payment to all property owners in the College Grove Drive (55th Street to 2,600 feet west of College Grove Drive) Underground Utility District as reimbursement for electrical service underground conversion work done on private property;

Authorizing the City Treasurer to return to SDG&E any undisbursed funds upon written notice from SDG&E to the City that all electrical service conversions within this particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION:

The College Grove Drive (55th Street to 2,600 feet west of College Grove Drive) Underground Utility District was created by the City Council on September 15, 1999. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set July 19, 1999 as the Customer Ready Date, which will require that upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish October 15, 1999 as the Pole Removal Date, which will require that upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench for electrical and conduit up to a maximum \$1,800.00 per electric service lateral. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching. Reimbursement does not include the cost of modifications to the electrical service box which typically ranges from \$300-\$1,500.

FILE LOCATION: STRT-K-186 [38]

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-103: Motorcycle Awareness Month.

DEPUTY MAYOR WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1232) ADOPTED AS RESOLUTION R-291646

Proclaiming May 1999 to be "Motorcycle Awareness Month" in San Diego and commending the organizers and volunteers for their leadership, vision and dedication to the safety of all street and highway users in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A367-B136;C110-115.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-104: Mike and Eric Gastelum Day.

DEPUTY MAYOR WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1231) ADOPTED AS RESOLUTION R-291647

Proclaiming Monday, May 3, 1999 to be "Mike and Eric Gastelum Day" in San

Diego in recognition of their unselfish bravery and uncommon courage in rescuing Hank Davenport.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-105: First Unitarian Universalist Church Day.

DEPUTY MAYOR WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1230) ADOPTED AS RESOLUTION R-291648

Proclaiming Sunday, May 2, 1999 to be "First Unitarian Universalist Church Day" in San Diego, in recognition of their 125th anniversary.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-106: Macedonia Missionary Baptist Church Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1317) ADOPTED AS RESOLUTION R-291649

Commending Macedonia Missionary Baptist Church for fifty years of service and dedication to the City of San Diego;

Proclaiming May 16, 1999 to be "Macedonia Missionary Baptist Church Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-107: Kids on the Block Day.

COUNCILMEMBER STALLINGS'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1316) ADOPTED AS RESOLUTION R-291650

Commending the Kids on the Block Program for their outstanding leadership, service and commitment to the children of San Diego, and in honor of their significant contributions;

Proclaiming Monday, May 24, 1999 to be "Kids on the Block Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-108: State of California Natural Communities Conservation Planning Grant Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1244) ADOPTED AS RESOLUTION R-291651

Authorizing the City Manager or designee to submit a grant application to the State of California Natural Community Conservation Planning (NCCP) Program for MSCP Preserve Monitoring Administration and Coordination;

Authorizing the City Manager or designee, for and on behalf of the City of San Diego, to accept, appropriate, expend and administer grant funds from the State of California Natural Community Conservation Planning (NCCP) Program, if the grant is awarded;

Authorizing the City Manager or designee to execute all documents, including contracts, subcontracts, agreements, amendments, extensions, renewals, or future funding, provided funding is made available by the State of California Natural Community Conservation Planning (NCCP) Program;

Authorizing the City Manager or designee, to enter into a sub-contract and/or consultant agreement with the Conservation Biology Institute to assist in the development of a plan for the management and monitoring of the City's MSCP;

Authorizing the City Auditor and Comptroller to establish a separate interest bearing account.

CITY MANAGER SUPPORTING INFORMATION:

As part of the Multiples Species Conservation Program (MSCP) adopted in March 1997, the City of San Diego has agreed to participate with state and federal wildlife agencies in biological monitoring of the species and habitats conserved within the preserve system. The City of San Diego is requesting \$48,500 in State NCCP grant funding to support initiation of biological preserve monitoring administration and coordination in the MSCP. The tasks proposed in this grant include:

1. Development of a strategic plan for implementation of monitoring, including identification of roles and responsibilities of the monitoring partners (state and federal wildlife agencies and local jurisdictions);
2. Development of a structure for managing the database and purchase of appropriate software and hardware;
3. Establishment of pilot study sites and refinement of data collection protocol.

It is proposed that these tasks be performed, under contract to the City of San Diego, by the Conservation Biology Institute (CBI), a nationally recognized, non-profit organization with expertise in biological management and monitoring.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-109: Solid Waste Local Enforcement Agency (LEA) Application for Enforcement Assistance Grant.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1285) ADOPTED AS RESOLUTION R-291652

Authorizing the City Manager to submit an application to the California Integrated

Waste Management Board for an Enforcement Assistance Grant, if awarded, to accept and expend grant funds, for the purchase of computer and monitoring/surveillance equipment and for additional training of LEA staff to carry out the duties and responsibilities of solid waste inspection, permitting and enforcement;

Authorizing the City Manager to conduct all negotiations, execute and submit all documents, including but not limited to applications, grant agreements, amendments, payment requests, which may be necessary to carry out and administer the City's obligations, responsibilities, and duties under the terms of the grant;

Authorizing the City Auditor and Comptroller to establish a separate fund for this grant.

CITY MANAGER SUPPORTING INFORMATION:

The California Integrated Waste Management Board (CIWMB) is accepting application for their Enforcement Assistance Grant Program. Funds totaling \$1.5 million are to be disbursed from the CIWMB to designated Local Enforcement Agencies (LEAs). Pursuant to Public Resources Code Section 43230 these grants awards are to be used solely for the support of LEAs Solid Waste Facilities Permit and Inspection Programs. The City of San Diego was authorized in November 1997, by the CIWMB, to carry out the duties and responsibilities of solid waste site inspection, permitting and enforcement. The City of San Diego LEA proposes to request grant funds to purchase computer equipment, monitoring and surveillance equipment, and fund additional training for LEA staff. The City of San Diego Solid Waste Local Enforcement Agency is eligible for approximately \$26,000 during this grant cycle.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-110: Problem Solving Community Mobilization Grant to Price Charities.

(City Heights East and West Community Areas. Districts-3 and 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1283) ADOPTED AS RESOLUTION R-291653

Authorizing the City Manager to accept and expend the donation of \$132,760 for the "study area" as part of the Mid-City Community Organizing Project;

Declaring that the money will be used for computers, equipment, training, supplies and the funding of two community mobilizers (limited community service officers) and the continued funding of the project coordinator;

Authorizing the City Manager to accept, expend and administer any amendments, extensions, expansions, and renewals of the program, and to accept and expend future funding of the program by Price Enterprises, for a period of up to three years, or up to a total donation of \$1,500,000, whichever comes first, and so long as there are no matching funds required by the grant donation;

Declaring that the City Manager will provide a report to the City Council every six months documenting the progress of the program, and reflecting any grant donations made by Price Enterprises during the previous six months of the program;

Authorizing the City to expend "in-kind" resources to participate in the program, which includes police personnel time and equipment and supplies, not to exceed \$180,000 for one year;

Declaring that should the Project be discontinued, any unused funds will be returned to Price Enterprises;

Declaring that the grant funds received shall not be used to supplant expenditures controlled by City Council;

Declaring that personnel positions funded are not subject to local hiring freezes.

CITY MANAGER SUPPORTING INFORMATION:

San Diego Police Department (SDPD) Mid-City Division along with community members, have designed a multi-faceted community based problem solving partnership which is designed to reduce crime in the City Heights area. Common project themes include community lead problem

solving, community policing, situational crime prevention, neighborhood intervention, and maximizing resources through community empowerment.

Project Partners will be formed through a community mobilization effort. Resources used to solve problems are numerous government, private, and civilian institutions that are already in place with existing funding. Any formal relationships will be documented through Memorandum's of Understanding with those agencies.

Target Site: The area designated for initial funding is bordered on the west by 40th Street, on the north by El Cajon Boulevard, on the east by Euclid Avenue, and on the south by University Avenue. The target population is ethnically diverse and numbers approximately 30,000 people. It is one of the highest narcotic complain areas of the City and its violent crime rate is twice that of the City average.

Project Objectives: Problem solve narcotic dealing locations through community intervention. Through a process of community mobilization, problem analysis by community members using police data, neighborhood directed resource intervention, police enforcement, and narcotics dealing locations will be systematically eliminated in the target area. The associated violent crimes, (robbery, assault, burglary, and murder) will also be abated as a consequence.

Aud. Cert. 9901147.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-111: Dog Beach Entry Improvements.

(Ocean Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1242) ADOPTED AS RESOLUTION R-291654

Authorizing the City Auditor and Comptroller to allocate \$30,000 from the Park and Recreation Matching Fund Program, Fund 10365, Dept. 10365, Org. 1444, Obj. Acct. 4222, J.O. 144438, to the North Ocean Beach Entryway Project, CIP-39-220.0, for the Dog Beach Entry Project, Fund 30244, Dept. 30244, Org. 106, Obj. Acct. 4222, J.O. 392201; allocate \$20,000 from Park and Recreation Operation budget, Fund 100, Dept. 442, Org. 2104, Obj. Acct. 4222, J.O. 004207, to the North Ocean Beach Entryway Project, CIP-39-220.0, for the Dog Beach Entry Project, Fund 30244, Dept. 30244, Org. 106, Obj. Acct. 4222, J.O. 392201;

Amending the Capital Improvement Project Budget to add \$50,000 to the North Ocean Beach Entryway Project, CIP-39-220.0, for the Dog Beach Entry Project;

Authorizing the City Auditor and Comptroller to accept, allocate, and expend an amount not to exceed \$50,000 within Fund 30244, Dept. 30244, Org. 106, Obj. Acct. 4222, J.O. 392201, Dog Beach Entry Project, for construction of improvements proposed by the Ocean Beach Town Council and other project costs.

CITY MANAGER SUPPORTING INFORMATION:

Over one year ago, the Ocean Beach Town Council initiated a proposal to improve the maintenance roadway that currently serves as an entrance to Dog Beach in North Ocean Beach, San Diego's only leash-free beach. The conceptual design was prepared by Estrada Land Planning and presented to the Ocean Beach Planning Board, the Ocean Beach Merchants Association, and other Community groups in Ocean Beach and gained wide support. The proposed project has also received support from Council District 2, the Park & Recreation Department and the Coastal Commission. Funding for the project is a public/private partnership. Park and Recreation is providing \$35,000. \$20,000 of which is being transferred from the Park and Recreation Coastal Division Operating Budget and \$15,000 from the Park and Recreation Matching Funds Program. Additionally, the Town Council has contributed a \$15,000 match to the Park and Recreation Matching Funds Programs for a total project income of \$50,000. Due to in-kind and other contributions, it is expected that the project will be constructed within the \$50,000 Budget. ADA compliance will be accomplished by providing access ramps up to the top of the berm and down to Dog Beach in a separate project to take place prior to the Dog Beach Entryway Improvements.

Aud. Cert. 9901124.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-112: Angle Parking on Harrison Avenue.

(Logan Heights Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1270) ADOPTED AS RESOLUTION R-291655

Establishing angle parking on the north side of Harrison Avenue between Crosby Street and Dewey Street pursuant to San Diego Municipal Code Section 86.03;

Authorizing the installation of the necessary signs and markings; declaring that the regulations imposed shall become effective upon the installation of the signs.

CITY MANAGER SUPPORTING INFORMATION:

This action permits angle parking on the north side of Harrison Avenue between Crosby Street and Dewey Street. Currently, there is parallel parking in this segment. This action will provide 11 additional parking spaces. Council approval is required, according to Municipal Code, Section 86.03. A petition representing 16 of 18 affected property owners (89 percent) was submitted in support of this action. The Southeast San Diego Development Committee was notified of this action.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-113: Commercial Vehicle Prohibition on Mount Abernathy Avenue.

(Clairemont Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1271) ADOPTED AS RESOLUTION R-291656

Prohibiting commercial vehicles with a gross vehicle weight rating of over 10,000 pounds from operating on Mount Abernathy Avenue between Cannington Drive and Balboa Arms Drive pursuant to San Diego Municipal Code, Section 85.04;

Authorizing the installation of the necessary signs and markings; declaring that the regulations imposed shall become effective upon the installation of the signs.

CITY MANAGER SUPPORTING INFORMATION:

This action prohibits commercial vehicles with a rated capacity of five tons or more from using Mount Abernathy Avenue between Cannington Drive and Balboa Arms Drive. By law, passenger buses, public utility vehicles, and commercial vehicles with an origin or destination on the affected street are exempt from this provision. Alternate routes for commercial vehicles include Genesee Avenue and Clairemont Mesa Boulevard. Council approval is required, according to Municipal Code, Section 85.04. A petition representing 93 percent of the affected properties was submitted in support of this action. The Clairemont Mesa Planning Committee supports this action.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-114: Amendment to the Cooperative Agreement for the Employment of City of San Diego Professional Services.

(College and Navajo Community Areas. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1324 Cor.Copy) ADOPTED AS RESOLUTION R-291657

Authorizing the City Manager to execute an amendment to the agreement with the MTDB to expand the scope of services to allow the part-time services of a Public Art Project Coordinator to assist MTDB with its public art initiative in exchange for MTDB's payment of City's actual salary and fringe benefit costs.

CITY MANAGER SUPPORTING INFORMATION:

On December 8, 1986, a Cooperative Agreement for the Employment of City of San Diego Professional Services between the City of San Diego (City) and the Metropolitan Transit Development Board (MTDB) was approved Resolution by R-267198, providing for traffic engineering services. On September 14, 1987, the agreement was amended by Resolution R-269271 to provide for the services of a City Senior Planner. In subsequent years, between 1991 and 1996, the agreement was extended through a series of letter contracts between the City and MTDB, making the agreement a multi-year agreement through the year 2001. On December 3, 1998, MTDB unanimously approved a public art initiative for the Mission Valley East Light Rail Transit Segment. Further, MTDB authorized its General Manager to amend the Cooperative Agreement for Employment of City of San Diego Professional Services to provide for administration of the public art initiative by the City in an amount not to exceed \$100,000.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-115: Placement of Telecommunication Facilities on Parkland and Open Space.

(See City Manager Report CMR-99-96 and revised City Manager Report CMR-99-73.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-99-1311) ADOPTED AS RESOLUTION R-291658

Amending Council Policy 700-06, entitled "Encroachments on City Property", and Council Policy 600-43, entitled "City of San Diego Telecommunication Antenna Policy";

Instructing the City Clerk to add the revised Council Policies to the Council Policy Manual;

Instructing the City Clerk to include the Revised Policies as Cross-References in Council Policy 900-13;

Authorizing the City Auditor and Comptroller to deposit all monies received from the placement of minor Facilities, as defined in Council Policy 600-43, on parkland or open space into the Park and Recreation Department's General Budget;

Authorizing the City Auditor and Comptroller to deposit all monies received from the placement of major Facilities, as defined in Council Policy 600-43, on parkland or open space into an account to be used exclusively for the parkland or open space area where the Facility is located;

Authorizing the City Auditor and Comptroller to establish any necessary and appropriate accounts to implement the foregoing.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 4/21/99, LU&H voted 5-0 to approve the recommended changes to Council Policies 700-06 and 600-43, with the following amendments added:

- A. Monies received for placement of minor telecommunication facilities in City parks or in open space shall be deposited in the budget of the Park and Recreation Department. Monies received for placement of major telecommunication facilities shall be deposited

into an appropriate account for use within the parkland or open space area where the facility is located.

- B. The proposed language be modified to state: The Park and Recreation Board, or Governing Open Space Advisory Body, shall submit its recommendation to the Park and Recreation Director who shall determine whether a minor telecommunication facility is authorized for placement on parkland or open space and, if the placement is approved, the Real Estate Assets Department shall negotiate and prepare the necessary encroachment authorization.
- C. That language be added to Council Policy 600-43 stating that major telecommunication facilities shall not be located within dedicated or designated parkland or open space unless an exception is granted by the City Council, and that Council Policy 700-06 reflect that the City Council shall determine whether major telecommunication facilities are authorized.
- D. Community Planning Committees shall be notified when a telecommunications facility is proposed for parkland or open space within that Committee's community.

(Councilmembers Mathis, Wear, Stevens, McCarty, and Vargas voted yea.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-116: Amending the 1999 Legislative Calendar for Meetings of the San Diego City Council and Standing Committees.

**PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S
RECOMMENDATION:**

Adopt the following resolution:

(R-99-1362) ADOPTED AS RESOLUTION R-291659

Amending the schedule of meetings for the City Council and Standing Committees of the City Council for the period of January 1, 1999 through December 31, 1999, by adding a Public Safety and Neighborhood Services Committee meeting on

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Tuesday, July 6, 1999, at 9:00 a.m., in the Council Committee Room, 202 C Street, San Diego, CA 92101.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-200: Two actions related to Inviting Bids for the Construction of Mid-City Pipeline Project.

(Mid-City and College Community Areas. Districts-3 and 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-1266) ADOPTED AS RESOLUTION R-291660

Inviting bids for the Construction of Mid-City Pipeline Project on Work Order Nos. 182011/183691/183681;

Authorizing the City Manager to execute a phase funded contract with the lowest responsible bidder, to be phase funded over two fiscal years;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$1,266,615 from Water Revenue Fund 41500, CIP-73-246.0, Mid-City Pipeline, to CIP-75-927.0, San Diego 18 Flow Control Facility (SD18FCF) for the construction of the SD18FCF Inlet Pipeline;

Authorizing the expenditure of an amount not to exceed \$22,061,839 from Water Revenue Fund 41500, as follows: \$18,384,533 from CIP-73-246.0, Mid-City Pipeline; \$765,159 from CIP-73-083.0, Water Annual Allocations for the construction of water main replacement Group Job 489A; \$744,381 from CIP-73-083.0, Water Annual Allocation for the construction of water main replacement Group Job 490A; \$1,266,615 from Water Revenue Fund 41500, from CIP-75-

927.0, San Diego 18 Flow Control Facility (SD18FCF) for the construction of the SD18FCF Inlet Pipeline; and authorizing contingency in an amount not to exceed \$901,151 from CIP-73-331.0, Annual Allocation for Pooled Contingency, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure under the contract phase funding are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller upon advice from the administering department to transfer excess budgeted funds, if any, to the appropriate reserves;

Authorizing the use of City Forces to perform operational checks and inspection for a cost not to exceed \$357,779 from Water Revenue Fund 41500 as follows: \$107,779 from CIP-73-246.0, Mid-City Pipeline and \$100,000 each for a total of \$200,000 from CIP-73-083.0, Water Annual Allocations for Group Jobs 489A and 490A; and \$50,000 from CIP-75-927.0 (SD18FCF). (BID-K99241C)

Subitem-B: (R-99-1267) ADOPTED AS RESOLUTION R-291661

Certifying that the information contained in Addendum LDR-98-1200 to Mitigated Negative Declaration LDR-94-0236, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council;

Declaring that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

The Mid-City Pipeline Project will provide for the construction of approximately 23,735 linear feet of 48-inch, 24-inch and 20-inch water mains in the Mid-City area of San Diego. The area consists of the University Heights, Normal Heights, Rolando and Redwood Village neighborhoods. These areas as well as much of Central San Diego, currently receive potable (drinking) water through the Trojan Pipeline. The capacity of the Trojan Pipeline, which was constructed in the 1950s has been unable to keep pace with the growth and development in the Mid-City area during the last two decades, resulting in lower than acceptable water pressure for Mid-City Community residents. In addition, the Trojan Pipeline has never been taken out of

service for inspection or maintenance. The primary objective of the Mid-City Pipeline is to operate as a back up to the existing Trojan Pipeline, providing redundancy to the Redwood Village Pressure Zone, supplying additional water to the Mid-City areas, and increasing pressure in the Normal Heights area. The Mid-City Pipeline will also allow the City to take the Trojan Pipeline out of service for inspection and any necessary repairs. In order to lessen the construction impacts to the community, two water main replacement projects and the CWA Inlet Pipeline has been included with the Mid-City Pipeline Project. Water Group Jobs 489A and 490A includes the replacement of approximately 7,500 linear feet of 16-inch, 12-inch, 10-inch and 8-inch diameters water pipelines within various streets in the Mid-City Community Planning Area. These Group Job water main replacements are needed due to a number of water main breaks in the area due to the age and condition of materials of the old pipes. Construction of 1,200 linear feet of 48-inch diameter inlet water pipe is part of an agreement between the City of San Diego (City) and the San Diego County Water Authority (CWA) Pipeline 4B Extension and will provide for the source water to the Mid-City Pipeline. Packaging the contract in this manner will provide savings for project and minimize construction impacts and inconvenience to the communities. construction of 1,200 linear feet Inlet Pipeline, and \$901,151 from Annual Allocation for Pooled Contingency, CIP-73-331.0.

Aud. Cert. 9901158.

FILE LOCATION: SUBITEMS A & B: CONT - PCL Civil Constructors, Inc.;
W.O. 182011/183691/183681

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-201: Inviting Bids for the Construction of Water and Sewer Group 517.

(Ocean Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1261) ADOPTED AS RESOLUTION R-291662

Inviting bids for the Construction of Water and Sewer Group 517 on Work Order Nos. 172581/181671;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of not to exceed \$1,654,000 from CIP-73-083.0, Fund 41500, and \$255,000 from CIP-44-001.0, Fund 41506, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K99234C)

CITY MANAGER SUPPORTING INFORMATION:

Water and Sewer Replacement Group 517 is part of the City's ongoing cast iron water and concrete sewer main replacement program. The water and sewer mains to be replaced in this project were constructed as early as 1927 and are approaching the end of their useful sewer life. Replacement of these deteriorated water and sewer mains will continue to provide the community with a safe and reliable water and sewer infrastructure well into the next century. This project is in the Ocean Beach community area and consists of replacing approximately 8,280 feet (1.58 miles) of 8-inch water main and 1,130 feet (0.21 miles) of 8-inch sewer main. The streets affected by construction operations are Cape May Avenue from Abbott Street to Venice Street, Brighton Avenue from Abbott to Bacon; and Brighton Avenue from Sunset Cliffs Boulevard to Venice Street. Traffic Control Plans have been prepared. Residents will be notified by mail at least one month before construction begins by the City's Water Department and again 10 days before construction begins by the contractor through hand distribution.

WWF-99-366.

FILE LOCATION: W.O. 172581/181671, CONT - Ortiz Corporation

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-202: Two actions related to Inviting Bids for the Construction of Sewer and Water Group 605.

(Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-1264) ADOPTED AS RESOLUTION R-291663

Inviting bids for the Construction of Sewer and Water Group 605 on Work Order Nos. 172051/181581;

Authorizing the City Manager to establish contract funding phases and execute a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$1,318,283 from Fund No. 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacements and \$503,193 from Fund No. 41500, CIP-73-083.0, Annual Allocation - Water Main Replacements, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for the expenditure are or will be on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K99238C)

Subitem-B: (R-99-1265) ADOPTED AS RESOLUTION R-291664

Certifying that the information contained in Mitigated Negative Declaration LDR-98-0789, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council;

Declaring that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study; Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Sewer and Water Group 605 will replace approximately 6,094 linear feet of existing 8-inch sewer mains, with 5,087 feet of 10-inch and 1,246 feet of 8-inch sewer mains. This project will also replace approximately 2,022 linear feet of existing 8-inch cast iron water main with new 8-inch water main. This project lies in the Mid-City area, in the alley ways between Chamoune Avenue

and 47th Street on the east and west bounded by Polk Avenue and Landis Street on the north and south. The work will also affect the following streets: Polk Avenue, University Avenue, Wightman Street, and Landis Street. Traffic Control Plans have been prepared. Residents will be notified by mail at least one month before construction begins by the City Water Department and again ten days before construction begins by the contractor through hand distribution. The existing sewer mains were installed approximately in 1921 and are now undersized and have experienced many stoppages. This project will eliminate these stoppages and provide a more reliable sewage collection system for the service area. Having served the area for 75 years, the existing water facilities have experienced a number of breaks. This project will alleviate these breaks and provide a more reliable water distribution system for the service area.

WWF-99-376.

FILE LOCATION: SUBITEMS A & B: W.O. 172051/181581

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-203: Two actions related to Inviting Bids for Construction of Sewer Group 626.

(Valencia Park Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-1262) ADOPTED AS RESOLUTION R-291665

Inviting bids for the Construction of Sewer Group 626 on Work Order No. 173311;

Authorizing the City Manager to establish contract funding phases and execute a contract with the lowest responsible bidder;

Authorizing the expenditure of not to exceed \$1,936,267 from CIP-44-001.0, Fund 41506, Annual Allocation-Sewer Main Replacements, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for

expenditure under established contract funding phases are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K99236C)

Subitem-B: (R-99-1263) ADOPTED AS RESOLUTION R-291666

Certifying that the information contained in the Mitigated Negative Declaration LDR-99-0181, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council;

Declaring that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Sewer Group 626 is part of the City of San Diego's continuing Annual Sewer Replacement Program. This project is in the Valencia Park community area and consists of replacing approximately 4,884 feet (0.93 miles) of 6-inch sewer main and realigning approximately 3,275 feet (0.62 miles) of sewer main in the streets. Also, this project includes the construction of 26 pedestrian ramps and slurry sealing of the impacted streets. The streets within this project which will be affected by construction operations are Manzanares Way, San Jacinto Drive, Velma Terrace, Las Animas Way, Trinidad Way, San Bernardo Terrace, Los Angeles Place, San Mateo Drive, San Jacinto Place and Santa Marie Terrace. Residents will be notified by mail at least one month before construction begins by the City's Engineering and Capital Projects Department and again 10 days before construction begins by the contractor through hand distribution.

WWF-99-388.

FILE LOCATION:

SUBITEMS A & B: W.O. 173311, CONT - Pacific Alliance Contractors

COUNCIL ACTION:

(Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-204: California Defense Adjustment Matching Grant from the State of California, Trade and Commerce Agency for the Naval Training Center Project.

(District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1355 Cor.Copy) ADOPTED AS RESOLUTION R-291667

Authorizing the application and execution of a grant from the State of California, Trade and Commerce Agency, and its defense adjustment matching grant program, including any amendments.

CITY MANAGER SUPPORTING INFORMATION:

The City received approval of a fourth year Defense Community Planing Assistance Award of \$186,000 from the Department of Defense, Office of Economic Adjustment for staff working on the NTC Reuse Plan for the grant period from 11/1/97 through 12/30/98. An extension has been granted through 6/30/99 with an increase to \$255,383 to cover the project manager and intermediate stenographer positions only. The City is required to provide a match of cash or in-kind services. The California Defense Adjustment Matching (CDAM) Grant program is intended to provide limited funding assistance to local agencies experiencing difficulty meeting the matching funds requirements. The CDAM grant provides up to 50 percent of the matching funds required to receive federal funding. The City's match requirement is \$89,613.22. The CDAM grant application is for \$44,807 to partially fund one Senior Civil Engineer who is responsible for the utilities conversion at NTC. In conclusion, if approved this grant would reduce the City's cash outlay by \$44,807.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-205: Approval of First Amended and Restated Agreements Pertaining to the Emergency Medical System.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1304) ADOPTED AS RESOLUTION R-291668

Authorizing a First Amended and Restated Operating Agreement of San Diego Medical Services Enterprise, LLC;

Authorizing a First Amended and Restated Emergency Medical Services Agreement between San Diego Medical Services Enterprise, LLC (SDMSE) and the City;

Authorizing a First Amended and Restated Agreement between SDMSE and the City of San Diego;

Authorizing a First Amended and Restated Agreement between SDMSE and Rural/Metro of San Diego, Inc.;

Authorizing the City Manager to undertake the necessary actions and enter into any subsidiary agreements necessary to implement the purpose and intent of this Resolution, and to make such other non-material, non-substantive changes to the Amended LLC Agreement, the Amended EMS Agreement, the Amended City Agreement and the Amended Rural/Metro Agreement, and any other agreements entered into, pursuant to this Resolution, as the City Manager shall approve as being necessary or in the best interests of the City and which, in the opinion of the City Attorney, do not: 1) increase the financial commitments or the scope of the obligations of the City, or 2) decrease revenue to the City.

CITY MANAGER SUPPORTING INFORMATION:

In June, 1997, the City Council approved four agreements between the City of San Diego and Rural/Metro of San Diego, Inc., creating San Diego Medical Services Enterprise, LLC (SDMSE)

and documenting the terms under which the members of the LLC would provide 9-1-1 paramedic service to the City, over a five-year period. In the first two years of operation, the City and Rural/Metro have entered into nine Operating Memoranda, as contemplated in the original agreements, amending the original agreements to clarify their terms and make the operation more efficient. The City and Rural/Metro also entered into a Memorandum of Understanding, regarding financial terms, clarifying and modifying certain financial operations. The amendments and clarifications in the nine Operating Memoranda and the Financial Terms MOU have now been incorporated into the original agreements, so that the four, primary documents contain the most recent terms under which the parties operate the City's 9-1-1 system.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT THE RESOLUTION WITH DIRECTION TO THE CITY MANAGER TO COME BACK TO COUNCIL WITH A SPECIFIC POLICY REGARDING THE EMERGENCY MEDICAL SYSTEM. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-206: Group Health Agreement with American Family Life Assurance Company of Columbus (AFLAC).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1083) ADOPTED AS RESOLUTION R-291669

Authorizing an agreement with American Family Life Assurance Company of Columbus (AFLAC), to extend group cancer and hospital intensive care, for a one-year period beginning August 1, 1998 through July 31, 1999, with no change in benefits or rates from last year;

Authorizing the expenditure of an amount not to exceed \$309,746 from Fund 60026, Account No. 9544.

CITY MANAGER SUPPORTING INFORMATION:

American Family Life Assurance Company of Columbus (AFLAC) provides additional coverage

for cancer, other selected dread diseases, and intensive care hospitalization to employees and eligible dependents. The Plan offers Cancer Expense Protection Plan, Cancer Expense Protection Plan and Hospital and Dread Disease Riders, and Hospital Intensive Care Protection Plan.

The agreement is extended for the term August 1, 1998 through July 31, 1999, and may be renewed for additional terms of one year each. There is no premium rate change for FY 1999.

		<u>MONTHLY</u>	<u>ANNUAL</u>
Base Cancer Policy	Employee:	\$ 9.96	\$120.00
	Family:	\$14.96	\$180.00
Cancer + Rider	Employee:	\$14.00	\$168.00
	Family:	\$21.50	\$258.00
Intensive Care Employee:		\$ 7.16	\$ 86.00
	Family:	\$14.58	\$175.00

Aud. Cert. 9900837.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-207: Dental/Vision Insurance Group Agreement with Foundation Health Services/AVP.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1275) ADOPTED AS RESOLUTION R-291670

Authorizing an agreement with Foundation Health Services, to provide group health insurance, to renew coverage under the agreement for a one-year period beginning August 1, 1998 through July 31, 2000;

Authorizing the expenditure of an amount not to exceed \$343,948 from Fund

60042, \$359,870 from Fund 60085, and \$105,073 from Fund 60043, all from Account 9544.

CITY MANAGER SUPPORTING INFORMATION:

Pursuant to Resolution Number R-289794, Denticare/Foundation Health/AVP was awarded a three-year agreement from August 1, 1997 to July 31, 2000 to provide: (1) a prepaid dental, (2) preferred provider organizations (PPO) dental and (3) prepaid vision services to eligible City employees. Denticare Prepaid and AVP have a three-year agreement and therefore the initial agreement are still in effect.

PPO Dental (Foundation) did not clearly define the term of the agreement and premium increases were contingent on experience. The PPO Dental premium increased by 15% as follows:

PPO Dental (Foundation):

	<u>FROM</u>	<u>1998</u>	<u>1999</u>
Employee Only	\$ 330	\$ 380	\$ 417
One Dependent	\$ 659	\$ 758	\$ 833
Two or More Dependents	\$1,049	\$1,207	\$1,327

Aud. Cert. 9900839.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-208: Blue Cross of California - Group Health Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1084) ADOPTED AS RESOLUTION R-291671

Authorizing an agreement with Blue Cross of California to provide group health insurance, and to extend coverage under the agreement for a one-year period beginning August 1, 1998 through July 31, 1999, to authorize the premium rates as follows:

	<u>California Care</u>		<u>\$1,000 Deductible</u>	
	<u>Rate</u>	<u>% Increase</u>	<u>Rate</u>	<u>% Increase</u>
Employee Only	\$1,706	3.8%	\$1,673	5.1%
One Dependent	\$1,975	8.2%	\$1,928	4.5%
Two or More Dependents	\$3,622	8.2%	\$3,855	4.5%

Authorizing the expenditure of an amount not to exceed \$5,568,736 from Fund 60020, Account 9544.

CITY MANAGER SUPPORTING INFORMATION:

The City provides health insurance coverage to active employees and their dependents through the self-insured Citymed/Blue Cross of California Plans. Blue Cross of California offers two types of coverage, namely the California Care and Prudent Buyer \$1,000 Deductible.

Retired employees and their dependents are covered through a fully insured agreement by Blue Cross of California. The term of the agreement is extended from August 1, 1998 through July 31, 1999. The annual rates for FY 1999 for active employees are as follows:

	<u>California Care</u>		<u>\$1,000 Deductible</u>	
	<u>Rate</u>	<u>% Increase</u>	<u>Rate</u>	<u>% Increase</u>
Employee Only	\$1,706	3.8%	\$1,673	5.1%
One Dependent	\$1,975	8.2%	\$1,928	4.5%
Two or More Dependents	\$3,622	8.2%	\$3,855	4.5%

The cost of the active employee coverage is paid through the Flexible Benefits Plan (FBP). Employees may cover their dependents through payroll deduction and/or remainder FBP monies.

Aud. Cert. 9900838.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-209: Reliastar Life Insurance Company - Group Life Insurance Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1085) ADOPTED AS RESOLUTION R-291672

Authorizing an agreement with Reliastar Life Insurance Company, for group life and accidental and dismemberment insurance, to extent the agreement for a two-year period beginning July 1, 1998 through June 30, 2000, and to authorize the monthly premium rate at \$0.16 per thousand;

Authorizing the expenditure of an amount not to exceed \$782,018 from Fund 60026, Account No. 9544.

CITY MANAGER SUPPORTING INFORMATION:

Reliastar Life Insurance Company (formerly Northwestern National Life Insurance Company) was awarded a three-year agreement commencing July 1, 1995. This agreement was extended for a two-year period effective July 1, 1998. Basic term insurance pays a death benefit to an employee's beneficiary(ies) for all causes of death. The coverage also includes accelerated benefits for terminally ill employees and Accidental Death and Dismemberment (AD&D) coverage. AD&D insurance pays benefits for loss of life, limb, sight, speech or hearing due to an accident. In addition to the basic coverage offered through the Flexible Benefits Plan, Portable term insurance and Universal Life Insurance are available through payroll deduction. The agreement also provides term coverage for select upper management known as Executive life insurance. For FY 1999, the contract was amended to include: 1) dependent and domestic partner coverage to the Portable Term Life program; and 2) domestic partner coverage for Universal Life program. The monthly rate for the group term insurance remains at \$0.16 per thousand for FY 1999.

Aud. Cert. 9900852.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-210: Kaiser Foundation Health Plan - Group Health Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1220) ADOPTED AS RESOLUTION R-291673

Authorizing an agreement with Kaiser Foundation Health Plan, Inc., to provide group health insurance, and to extend the coverage under the agreement for a one-year period beginning August 1, 1998 through July 31, 1999, to authorize premium rates as follows:

	<u>Monthly</u>	<u>Yearly</u>
Employee Only	\$137.00	\$1,644
One Dependent	\$137.00	\$1,644
Two or More Dependents	\$272.24	\$3,267

Authorizing the expenditure of an amount not to exceed \$8,359,724 from Fund 60022, Account 9544.

CITY MANAGER SUPPORTING INFORMATION:

The City provides Kaiser Health Plan, a health maintenance organization (HMO), to active and retired employees and their dependents. The City offers Kaiser Traditional Plan and Kaiser Senior Advantage Plan. The health coverage will remain unchanged for the 1998-1999 contract year except the \$1,000 reduction on copayment limits. Limit on copayment will be \$1,500 per member but no more than \$3,000 for family. Premium rates increased by 8.5 percent. The monthly rates are as follows:

	<u>From</u>	<u>To</u>
Employee Only	\$126.30	\$137.00
One Dependent	\$126.30	\$137.00
Two or More Dependents	\$251.08	\$272.24

The cost of coverage for active employees is paid through the Flexible Benefits Plan (FBP). Employees may cover their dependents through payroll deduction and/or remainder FBP monies.

Aud. Cert. 9900818.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-211: United Behavioral Health (UBH) - Group Managed Behavioral Health Program Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-983) ADOPTED AS RESOLUTION R-291674

Authorizing an agreement with United Behavioral Health, for a one-year period beginning August 1, 1998 through July 31, 1999, to provide managed behavioral health coverage to members of the applicable Blue Cross health plans;

Authorizing the expenditure of an amount not to exceed \$446,370 from Fund 60026, Account No. 9544.

CITY MANAGER SUPPORTING INFORMATION:

United Behavioral Health (UBH) was selected to provide managed health and chemical dependency treatment for participants enrolled in Blue Cross health plans. The agreement is extended for the term August 1, 1998 through July 31, 1999. The monthly premium rate per employee or retiree increased by 6.4%, from \$14.96 in FY 1998 to \$15.91 in FY 1999.

Aud. Cert. 9900761.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-212: Group Health Agreement with Health Net Seniority Plus.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1276) ADOPTED AS RESOLUTION R-291675

Authorizing an agreement with Health Net Seniority Plus to provide group health insurance to Medicare eligible retirees, to extend coverage under the agreement for a one-year period beginning August 1, 1998 through July 31, 1999, and authorizing the monthly premium rate of \$32.15 per member;

Authorizing the expenditure of an amount not to exceed \$92,206 from Fund 60077, Account 9544.

CITY MANAGER SUPPORTING INFORMATION:

Health Net was selected through a competitive bid process to provide a Medicare risk health insurance plan (medical, dental and vision insurance) to retirees and their dependents effective August 1, 1995. The agreement is extended for the term of August 1, 1998 through July 31, 1999. The monthly rates per member increased from \$13.70 in FY 1998 to \$32.15 for FY 1999. This premium increase was primarily due to increased pharmacy costs. Dental benefits were enhanced to cover basic and major services, as well as preventive services. The dental provider changed from Safeguard to Denticare.

Aud. Cert. 9900762.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-213: Initiation of the Subarea I (Black Mountain Ranch Phase II) Development Agreement.

(See City Manager Report P98-038. North City Future Urbanizing Area (Subarea 1) Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1314) ADOPTED AS RESOLUTION R-291676

Declaring that the City Council determines that an Initial Development Agreement is warranted for the proposed development project and directing staff to accept the application for a Development Agreement on the project, and to negotiate the Development Agreement consistent with Council Policy 600-37.

CITY MANAGER SUPPORTING INFORMATION:

Subarea I encompasses approximately 5,100 acres in the northeastern portion of the North City Future Urbanizing Area. It is surrounded by Torrey Highlands (Subarea IV) and Rancho Peñasquitos to the south, Rancho Bernardo and 4S Ranch to the east, Santa Fe Valley to the north, and Fairbanks Ranch to the west. Development within a large portion of the subarea, consistent with the A-1-10 zoning regulations, has previously been approved by the City Council in 1995 through a vesting tentative map 1,121-unit planned residential development with golf course and development agreement. Approximately 893 acres of the approved VTM were reserved for development as part of a future phase shift. In 1996, the voters approved a phase shift to allow a 300-room hotel and 60,000 square feet of commercial uses on 25 acres within the approved tentative map area. The total acreage proposed for a development agreement are the 893 acres owned by Black Mountain Ranch Limited Partnership and previously reserved for development and for which a phase shift was approved in November 1998. This is the area shown on Attachment No. 2 of the accompanying Report to the Planning Commission No. P-98-038 - Black Mountain Ranch Phase Shift Map, as the North Village and Black Mountain Ranch Clusters, South Village and Resort. This project is requesting a Development Agreement initiation based on the criteria outlined in Council Policy 600-37. If initiated, the application for this Development Agreement must incorporate all the provisions as outlined in Section C. Items

1-6 of Council Policy 600-37 (Attachment 4) of the accompanying report to the Planning Commission No. 98-038. The proposed Development Agreement has the opportunity to provide extraordinary benefits to the City in the following areas:

- Providing millions of dollars to improve Interstate 15 and other federal, state, regional and/or local roadways;
- Contributing to a portion of the cost of constructing a high school, a middle school, and elementary schools, in excess of current state mandates;
- Providing funds to build a fire station;
- Funding mass transit opportunities pursuant to a Transit Plan designed to reduce dependency on freeways by incorporating a commuter friendly design;
- Providing more than two hundred acres of Multiple Species Conservation Plan Habitat. Project benefits previously negotiated throughout the planning process will be evaluated through the development agreement negotiation process to determine whether or not they may qualify for the extraordinary benefit. The proposed term of the development agreement remains to be negotiated based on the level of extraordinary benefit which is provided for.

FILE LOCATION: DEV'L-Black Mountain Ranch Phase II Development Agreement

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-214: Tax and Revenue Anticipation Notes (TANS) FY 1999-2000.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1297 Cor. Copy) ADOPTED AS RESOLUTION R-291677

Authorizing the issuance of Tax Anticipation Notes in one or two series (Notes) of the City of San Diego (City) for Fiscal Year 1999-2000, in an aggregate principal amount not to exceed the lesser of \$110,000,000 or the maximum amount permitted under the Authorizing Law;

Declaring that the City pledges security for the payment of the principal of and interest on the Notes, as follows: 1) from the first property tax moneys received by the City on or after November 30, 1999, an amount equal to one-half of the total principal and interest due with respect to the Notes on or before the maturity, and 2) from the remaining property tax moneys received by the City on or after April 10, 2000, an amount equal to the difference between: (a) the total principal and interest due with respect to the Notes on or before the maturity thereof, and (b) the amount previously deposited for the repayment of the Notes. If by April 30, 2000, the property tax moneys are insufficient to enable the City to make such transfer, the City shall transfer other legally available taxes, income, revenue, cash receipts and other moneys attributable to the City's 1999-2000 fiscal year to the Repayment Fund established so that the amounts in the fund are at least equal to the amounts required to pay the principal of an interest on the Notes as they become due;

Authorizing the City Manager or designee to sell the Notes at negotiated sale(s) in accordance with one or two note purchase contracts, provided the true interest cost of the Notes shall not exceed 6 percent per annum and the aggregate principal amount of the Notes shall not exceed the lesser of \$110,000,000 or the maximum amount permitted under the Authorizing Law, as certified by the City Treasurer;

Authorizing the City Manager or designee to execute an agreement with Fulbright and Jaworski L.L.P. (Bond Counsel) to act as Bond Counsel and as Disclosure Counsel for the issuance of the Notes;

Authorizing the City Manager or designee to execute an agreement or agreements with Bear, Stearns and Company, Inc., and E.J. De La Rosa and Company, Inc., to act as underwriters (Underwriters) with respect to the Notes;

Authorizing the City Manager or designee to execute and deliver the Accompanying Document, including the Contract of Purchase, the Paying Agent Agreement and the Continuing Disclosure Certificate;

Authorizing the City Manager or designee to accept the final terms of the Notes based on the offer or offers of the Underwriters on or before August 30, 1999 with respect to the first series of Notes, and on or before December 15, 1999, with respect to the second series of Notes (if any), provided in each case that the true interest cost of the Notes shall not exceed 6 percent per annum, and the aggregate principal amount of the Notes shall not exceed the lesser of \$110,000,000 or the maximum amount permitted under the Authorizing Law;

Approving the proposed form of the Preliminary Official Statement;

Authorizing the City Treasurer or designee to cause the preparation of the final form of the Preliminary Official Statement;

Authorizing the City Manager and the City Treasurer to execute and deliver a Tax Certificate prepared by Bond Counsel obligating the City to comply with certain covenants in order to maintain the exclusion of interest on the Notes from the gross income of the owners for federal income tax purposes;

Authorizing the City Manager, the City Treasurer, the City Clerk, and the City Auditor and Comptroller, jointly and severally, to do any and all things and to execute, modify and deliver any and all documents, agreements and certificates which they may deem necessary or advisable in order to effect the issuance, sale and delivery of the Notes.

CITY MANAGER SUPPORTING INFORMATION:

The City normally experiences cash flow deficits during the fiscal year in the General Fund as a result of uneven timing of receipt of revenues while expenditures occur at level amounts throughout the year. The uneven pattern of revenue is primarily due to the receipt of secured property tax payments, which occur in December and April of each year, and reimbursements from the State of California and federal government agencies. In order to pay operating expenses prior to the receipt of the revenues, the City issues short term financing in the form of Tax Anticipation Notes (TAN). The TAN program is self supporting in that the interest revenue earned on the reinvestment of the Notes proceeds pays for the debt service and any costs or expenses associated with the issuance of the Notes.

Aud. Cert. 9901179.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-215: Proposed Metropolitan Water District of Southern California (MWD) and San Diego County Water Authority (CWA) Water Rate Adjustments.

(See City Manager Report CMR-99-97.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1310) ADOPTED AS RESOLUTION R-291678

Authorizing the City Manager to approve a series of incremental water rate increases, not to exceed \$0.10 per HCF over the next five years.

NOTE: Arthur Nave, Regional Design Manager for the Auto Zone has requested Item 216 be withdrawn, per letter dated April 26, 1999

(Continued from the meeting of March 22, 1999, Item 201, at Councilmember Vargas's request, for further review regarding access to the property.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B140-C116.)

Hearing began at 3:04 p.m. and halted at 3:42 p.m.

Testimony in opposition by Allouise Weeks and Myron Halbert.

MOTION BY MATHIS TO ADOPT THE RESOLUTION WITH DIRECTION TO THE CITY MANAGER TO REFER ISSUES REGARDING WATER RATE INCREASES TO THE NR&C COMMITTEE FOR DISCUSSION. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-not present, McCarty-yea, Vargas-nay, Mayor Golding-not present.

ITEM-216: Auto Zone Store #2826.

Matter of a Rezone and Planned Commercial Development Permit No. 96-7615 in the Otay Mesa-Nestor Community Planning area.

(RZ/PCD-96-7615. District-8.)

NOTE: Hearing closed. Public testimony taken on 3/22/99. Councilmembers Mathis, Kehoe and Stallings not present.

CITY MANAGER'S RECOMMENDATION:

Adopt Subitem-A; introduce Subitem-B and adopt Subitem-C granting or denying the permit:

Subitem-A: (R-99-929) CONTINUED TO TUESDAY, JUNE 8, 1999

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration LDR-96-7615 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration reflects the independent judgment of the City of San Diego as Lead Agency. Stating for the record that the final negative declaration has been reviewed and considered by the Council pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-99-93) CONTINUED TO TUESDAY, JUNE 8, 1999

Introduction of an Ordinance rezoning a 1.0 acre site from A1-10 to CA zone in the Otay Mesa-Nestor Community Planning Area.

Subitem-C: (R-99-) CONTINUED TO TUESDAY, JUNE 8, 1999

Adoption of a Resolution granting or denying the permit, with appropriate findings to support Council action.

CITY MANAGER SUPPORTING INFORMATION:

The project proposes for the development of a one-story 8,521 sq. ft. commercial building for retail use through a Planned Commercial Development Permit in conjunction with a rezone of the 1.0 acre site from the A1-10 zone to the CA zone.

The 1.0 acre site is zoned A-1-10 and is designated commercial mixed use by the Otay Mesa-Nestor Community Plan. Also, the Otay Mesa-Nestor Community Plan identifies the subject property as being within the Iris Avenue Mercado. The Iris Avenue Mercado identifies areas which are suitable for small scale commercial projects with the implementation of Transit Oriented Development Guidelines (TOD).

The lot currently contains four sheds and two small buildings all of which would be demolished. A well that is used for domestic purposes is located on the northern portion of the site and will be abandoned.

Properties to the north and south are designated commercial mixed-use and zoned A-1-10 (agricultural). Property to the east is designated low-medium density residential and zoned R-1-5000 (residential). The property to the west is designated commercial mixed-use and zoned M1-B (industrial). Surrounding land uses are commercial uses to the north and south, single family residences to the east and a trolley station to the west.

LEGAL DESCRIPTION:

The subject property is located at 3167 Beyer Boulevard between Beyer Boulevard and 30th Street and is more particularly described as a portion of the Southwest Quarter of Southwest Quarter of Section 26, Township 18 South, Range 2 West, San Bernardino Meridian within the Otay Mesa-Nestor Community Planning area.

FILE LOCATION: SUBITEM A & C: PERM-96-7615 [65]
SUBITEM B: NONE

COUNCIL ACTION: (Tape location: A327-365.)

MOTION BY VARGAS TO CONTINUE THIS ITEM TO TUESDAY, JUNE 8, 1999 AT THE REQUEST OF THE CITY MANAGER TO ALLOW TIME FOR STAFF TO MEET WITH THE APPLICANT AND THE PROPERTY OWNER. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-S400: Two actions related to approving the Final Subdivision Map of Carmel Valley Neighborhood 6, Unit 10.

(This is a 12-lot subdivision. Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-1240 Cor.Copy) ADOPTED AS RESOLUTION R-291679

Authorizing a Subdivision Improvement Agreement with Western Pacific Housing-Carmel, LLC, for the installation and completion of public improvements.

Subitem-B: (R-99-1239) ADOPTED AS RESOLUTION R-291680

Approving the final map.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of 7.209 acres into 12 lots for residential development. It is located south of Carmel Grove Road, between Carmel View Road and Carmel Creek Road in the Carmel Valley Community Plan area. On June 18, 1992, the Planning Commission of the City of San Diego approved Planning Commission Resolution No. 0987-PC for Carmel Valley Neighborhood 6, Unit 10. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. City Council action is required to give final approval of all final maps and agreements. The public improvements required for this subdivision are shown in detail on Drawing Nos. 26739-1-D through 26739-32-D, filed in the Office of the City Clerk under Micro Number 138.73. All improvements are to be completed within two years. A special permit has been issued for grading. The Engineer's estimate for the cost of public improvements is now \$580,144 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$5,100, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This subdivision is located in the Carmel Valley Facilities Benefit Assessment (FBA) District, which provides for the payment of FBA (including parks), at the time of building permit issuance. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued. Subdivider, by letter, has given assurance to the City of San Diego that he/she subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development".

FISCAL IMPACT: None.

Culbreth-Graft/Haase/SH

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for the Regular Meeting of Monday, May 24, 1999**

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FILE LOCATION: SUBITEMS A & B: SUBD-Carmel Valley Neighborhood
6, Unit 10 [40]

COUNCIL ACTION: (Tape location: A367-B136.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Wear at 3:43 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C118.)